

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KAPP WALLED LAKE, LLC,

Plaintiffs,

v.

Case No. 24-cv-13346
Hon. Matthew F. Leitman

CITY OF PONTIAC,

Defendant.

**ORDER (1) DENYING PLAINTIFF'S MOTION FOR A PRELIMINARY
INJUNCTION IN PART AND CONTINUING HEARING IN PART (ECF
No. 2), AND (2) DENYING PROPOSED INTERVENOR'S MOTION TO
INTERVENE (ECF No. 8)**

On February 13, 2025, the Court held a hearing on two pending motions in this case: (1) Plaintiff Kapp Walled Lake, LLC's motion for a preliminary injunction (ECF No. 2) and (2) proposed intervenor Pontiac Retailer, Inc.'s motion to intervene (ECF No. 8). For the reasons explained on the record, Pontiac Retailer's motion to intervene is **DENIED**. In addition, for the reasons stated on the record, Kapp Walled Lake's motion for a preliminary injunction is **DENIED** to the extent that it seeks an order barring the City from processing applications and/or issuing licenses for recreational marijuana facilities outside of the East Walton Overlay District. The Court reserves ruling on the remainder of Kapp Walled Lake's motion and will work with counsel to pick a date to continue the preliminary injunction hearing in the very

near future. Finally, the City **SHALL NOT** issue any recreational marijuana licenses, conditional or otherwise, or finalize the scoring on the applications for a recreational marijuana license, for marijuana facilities in the East Walton Overlay District, until the Court rules on the remainder of Kapp Walled Lake's preliminary injunction motion and/or until further order of the Court.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: February 13, 2025

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 13, 2025, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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